

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.822 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- UJIYARPUR District- Samastipur

1. BIPIN KUMAR RAM @ BIPIN RAM SON OF RAJENDRA RAM R/O VILLAGE- CHAND CHOUR, RAHIM TOL, WARD NO.10, P.S.- UJIARPUR, DISTRICT- SAMASTIPUR
2. SACHIN KUMAR RAM SON OF MOHAN RAM R/O VILLAGE- CHAND CHOUR, RAHIM TOL, WARD NO.10, P.S.- UJIARPUR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, petitioners are said to have abused and assaulted the informant brutally.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to old grudges. The allegation levelled against the petitioner no.1 is not specific rather general and omnibus in nature, whereas there is serious allegation against the



petitioner no.2 that he assaulted the informant due to which he sustained grievous injury. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injury caused by petitioner no.1 is simple in nature, let the petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ujiarpur P.S. Case No.108 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific overt act against the petitioner no.2, I am not inclined to enlarge the petitioner no.2 on bail. The prayer for bail of the petitioner no.2 is hereby rejected.

Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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